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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Registration No. 2,335,805 Registered March 28, 2000			Alimento menor men
		X	04-15-2004
CUISINE COOKWARE, INC.,		: :	U.S. Patent & TMOfc/TM Mail Rcpt Dt. #78
	Petitioner,	:	Cancellation No. 92042276
v.		: :	
GUTMANN CUTLERY, INC.,		:	
	Registrant.	:	
		X	

## PETITIONER'S MOTION TO EXTEND DISCOVERY AND TRIAL PERIODS ON CONSENT

Petitioner, by and through its attorneys, Ostrolenk, Faber, Gerb & Soffen, LLP, hereby moves that the Discovery and Trial Testimony Periods previously set in this proceeding be extended by two (2) additional months as follows:

Period for Discovery to Close:	June 16, 2004
Testimony period for party in position of plaintiff to close (opening 30 days prior thereto)	September 15, 2004
Testimony period for party in position of defendant to close (opening 30 days prior thereto)	November 13, 2004

Rebuttal testimony period to close (opening 15 days prior thereto)

December 28, 2004

This extension is requested because further time is needed for the parties to try to resolve various discovery issues and to discuss the possibility of settlement. Counsel for Registrant, Robert Rohde, consented to the requested extension in correspondence with the undersigned attorney for Petitioner on April 14, 2004.

Dated: New York, New York April 15, 2004

"Express Mail" mailing label No. EV325557084US

Date of Deposit: April 15, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

Peter S. Sloane
(Printed name of person mailing paper or fee)
(Signature)

Respectfully submitted,

Peter S. Sloane

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Attorneys for Petitioner

## **CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing **PETITIONER'S MOTION TO EXTEND DISCOVERY AND TRIAL PERIODS ON CONSENT** was served upon counsel for Registrant this 15<sup>th</sup> day of April, 2004, by first-class mail, postage prepaid, as follows:

Robert E. Rohde, Esq. Rohde & Van Kampen PLLC 1000 Second Avenue, Suite 3110 Seattle, Washington 98104-1046

Peter S. Sloane